



Case N .: 98,736

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method For Accelerating The Rate Of Mucociliary Clearance

the specification of which was filed on December 22, 1998 as U.S. Patent application Ser. No. 09/218,913.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

	<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>
1.			
2.			

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

	<u>Application Number</u>	<u>Filing Date</u>
1.		
2.		

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

	<u>Application Number</u>	<u>Filing Date</u>	<u>Status: patented, pending, abandoned</u>
1.			
2.			

I hereby appoint the following attorneys and agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Denis A. Berntsen Reg. No. 26707
 John J. McDonnell Reg. No. 26949
 Daniel A. Boehnen Reg. No. 28399
 Bradley J. Hulbert Reg. No. 30130
 Paul H. Berghoff Reg. No. 30243
 Grantland G. Drutchas Reg. No. 32565
 Steven J. Sarussi Reg. No. 32784
 David M. Frischkorn Reg. No. 32833
 James C. Gumina Reg. No. 32898
 A. Blair Hughes Reg. No. 32901
 Thomas A. Fairhall Reg. No. 34591
 Emily Miao Reg. No. 35285
 Kevin E. Noonan Reg. No. 35303
 Leif R. Sigmond, Jr. Reg. No. 35680
 Lawrence H. Aaronson Reg. No. 35818
 Matthew J. Sampson Reg. No. 35999
 Curt J. Whitenack Reg. No. 36054
 Christopher M. Cavan Reg. No. 36475
 Michael S. Greenfield Reg. No. 37142

Roger P. Zimmerman Reg. No. 38670
 Anthoula Pomrening (agent) Reg. No. 38805
 George I. Lee Reg. No. 39269
 James M. McCarthy Reg. No. 39296
 Jeremy Noe (agent) Reg. No. 40104
 Sean M. Sullivan Reg. No. 40191
 Audrey L. Bartnicki Reg. No. 40499
 Amir N. Penn Reg. No. 40767
 Patrick J. Halloran (agent) Reg. No. 41053
 Joshua R. Rich Reg. No. 41269
 Thomas E. Wettermann Reg. No. 41523
 Robert J. Irvine Reg. No. 41865
 Richard A. Machonkin Reg. No. 41962
 David S. Harper Reg. No. 42636
 Christopher D. Agnew (agent) Reg. No. P43464
 Stephen Lesavich Reg. No. P43749
 Enrique Perez Reg. No. P43853
 Marcus J. Thymian Reg. No. P43954
 Emanuel J. Vacchiano (agent) Reg. No. P43964

Of the lawfirm of McDONNELL BOEHNEN HULBERT & BERGHOFF; and

Jeffrey M. Greenman Reg. No. 26552
 William F. Gray Reg. No. 31018
 Huw R. Jones Reg. No. 33916

Barbara A. Shimei Reg. No. 29862
 Alice A. Brewer Reg. No. 32888

Of BAYER CORPORATION.

Address all telephone calls to Emily Miao at (312) 913-0001.

Address all correspondence to McDONNELL BOEHNEN HULBERT & BERGHOFF, 300 South Wacker Drive, Chicago, Illinois 60606 USA.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of second joint inventor: Roderick L. Hall

Inventor's signature: Roderick L. Hall
 Residence: 10 Acacia Close, Woodham, Surrey KT 15 3SJ, United Kingdom
 Citizenship: United Kingdom
 Post Office Address: 10 Acacia Close, Woodham, Surrey KT 15 3SJ, United Kingdom

Date: 8 / March '99

Full name of third joint inventor, if any: Christopher T. Poll

Inventor's signature: C.T. Poll Date: 8th March '99
Residence: 11 Scarborough Way, Windsor Meadows, Slough SL1 9JY, United Kingdom
Citizenship: United Kingdom
Post Office Address: 11 Scarborough Way, Windsor Meadows, Slough SL1 9JY, United Kingdom

Full name of sole or first inventor: Benjamin B. Newton

Inventor's signature: B.B. Newton Date: 11th March 1999
Residence: 35 St. Bartholomew's Road, Reading, Berkshire RG1 3QA, United Kingdom
Citizenship: United Kingdom
Post Office Address: 35 St. Bartholomew's Road, Reading, Berkshire RG1 3QA, United Kingdom

Full name of fourth joint inventor, if any: William J.A. Taylor

Inventor's signature: W.J.A. Taylor Date: 8th March 1999
Residence: 'Wyndin' The Willows, Maidenhead Road, Windsor SL4 5UB, United Kingdom
Citizenship: United Kingdom
Post Office Address: 'Wyndin' The Willows, Maidenhead Road, Windsor SL4 5UB, United Kingdom